

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL**

PATENT

Attorney Docket No.: P-3586.01 Continuation 3
Express Mail No.: EV 331791695 US

First Named Inventor or Application Identifier: **Kenneth B. Stokes, Josee Morissette**
Title: **System and Method for Enhancing Cardiac Signal Sensing by Cardiac Pacemakers Through Genetic Treatment**

CERTIFICATE UNDER 37 CFR SECTION 1.10: I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope address "EXPRESS EV 331791695 US addressed to Box Patent Application, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14 day of OCTOBER, 2003.



Juanita I. Trauffer
Printed Name

Signature

Juanita I. Trauffer

Mail Stop BOX PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting the following:

- ☒ **Patent Application Transmittal**
- ☒ **Specification**

Total Pages: 73 (cover/title page 1 sheet; specification 33 sheets; claims 5 sheets; abstract 1 sheet)

- ☒ **Drawings**

Total Sheets: 5 (formal; ☒ informal)

- ☒ **Combined Declaration and Power of Attorney:**

☐ Newly executed (**Unsigned**)

- ☒ Copy from prior application

☐ Deletion of inventor(s) -- signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))

- ☒ Incorporation by reference -- *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein.*

- ☒ **Accompanying application parts:**

☒ Notification of filing a ☒ Continuation ☐ Divisional ☐ Continuation-in-Part

☐ Assignment of the invention to Medtronic, Inc.

☐ Assignment cover sheet

☐ Information Disclosure Statement

☐ PTO Form 1449

☐ Copies of IDS citations

☐ Preliminary Amendment

☐ A copy of the Petition or Condition Petition for Extension of Time in the prior application

☒ Return postcard

IF A CONTINUING APPLICATION:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part
of prior application no. 09/896,994.

☒ Amend the specification by inserting before the first line the sentence: This application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-Part
of application number 09/896,994.

☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one of the original independent claims must be retained for filing purposes.)

☒ The prior application is assigned of record to Medtronic, Inc.

☒ The Power of Attorney in the prior application is to: **Tom Woods**.

☐ This application claims the benefit of U.S. Provisional Application(s) Serial No. filed .

☒ Address all future correspondence to:

Kenneth J. Collier
Reg. No. 34,982
Medtronic, Inc.
710 Medtronic Parkway N.E.
Minneapolis, MN 55432
Telephone: (763) 505-2521

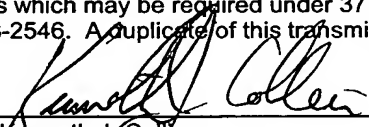
FEE CALCULATION

| | No. Of Claims Filed | Claims Included in Base Fee | No. Of Extra Claims | Rate | Fee |
|--------------------------------|------------------------|--------------------------------|------------------------|----------|------------|
| Total Claims | 31 | 20 = | 11 | x \$ 18 | \$198.00 |
| Independent Claims | 4 | 3 = | 1 | x \$86 | 86.00 |
| Multiple Dependent Claim(s) | | 0 = | | + \$ 290 | |
| Basic Filing Fee | | | 0 | | \$770.00 |
| TOTAL | | | | | \$1,054.00 |

☒ Charge Deposit Account No. 13-2546 the sum of \$770.00 (Filing Fee), \$198.00 for Total Claims and \$86.00 for Independent Claims fee for a total of **\$1,054.00**.

☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

October 14, 2003
Date


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kenneth B. Stokes, Josee Morissette

Examiner: Jeffrey Jastrzab

Serial No.: 09/896,994

Group Art Unit: 3762

Filed: July 2, 2001

Title: System and Method for Enhancing Cardiac Signal Sensing by Cardiac Pacemakers Through Genetic Treatment

EV331791695US

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Date of Deposit 10-14-03

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Juanita I. Traufler
JUANITA I. TRAUFLER

NOTIFICATION OF FILING OF A CONTINUATION OR DIVISIONAL APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Notification is hereby being made of the filing of a

☒ Continuation [] Divisional

application for this case

☒ concurrently herewith [] on October 14, 2003

(date)

By: Kenneth J. Collier 10/14/03
Kenneth J. Collier
Attorney for Applicant(s)
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